

**MEMO ENDORSED**

STATE OF NEW YORK  
OFFICE OF THE ATTORNEY GENERAL

LETITIA JAMES  
ATTORNEY GENERAL

JANE M. AZIA  
BUREAU CHIEF  
CONSUMER FRAUDS & PROTECTION BUREAU

May 19, 2020

The Honorable Edgardo Ramos  
Thurgood Marshall United States Courthouse  
40 Foley Square  
New York, NY 10007

**Re: State of New York v. Pennsylvania Higher Educ. Assistance Agency, No. 19-cv-9155 (ER)**

Dear Judge Ramos:

We write on behalf of plaintiff the New York Attorney General's Office to request an amendment to the Discovery Schedule submitted on May 15, 2020 (Docket No. 61) to correct errors in the parties' previously proposed dates. The corrected dates appear in bold text in Exhibit A, attached. Counsel for the Pennsylvania Higher Education Assistance Agency consent to this request.

Respectfully submitted,

*/s/ Carolyn Fast*  
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*Attorney for Plaintiff the People of the State  
of New York, by Letitia James, Attorney  
General of New York*

EXHIBIT A

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF NEW YORK**

PEOPLE OF THE STATE OF NEW YORK,  
by LETITIA JAMES,  
Attorney General of the State of New York,

Plaintiff,

v.

PENNSYLVANIA HIGHER EDUCATION  
ASSISTANCE AGENCY, d/b/a  
FEDLOAN SERVICING and AMERICAN  
EDUCATION SERVICES,

Defendant.

Civil Action No. 19-cv-9155

**JOINT PROPOSED DISCOVERY PLAN**

This Proposed Discovery Plan is submitted jointly by counsel for Plaintiff People of the State of New York (NYAG) and Defendant Pennsylvania Higher Education Assistance Agency (PHEAA), pursuant to the Court's May 13, 2020 Minute Entry entered in this action.

The parties propose that the deadlines in the Court's January 7, 2020 Case Management Order (Dkt. No. 31) be revised as follows:

<b>EVENT</b>	<b>DATE</b>
Last date to amend pleadings/add parties	July 10, 2020
Last date to seek discovery from federal agencies*	November 23, 2020
Document production cut-off (parties)	December 22, 2020
Last date for personal service of interrogatories and requests for admission	March 8, 2021
Fact discovery cut-off	April 16, 2021

<b>EVENT</b>	<b>DATE</b>
<b>Expert disclosure (initial)</b>	<b>April 23, 2021</b>
Expert disclosure (rebuttal)	May 14, 2021
<b>Expert discovery cut-off</b>	<b>June 11, 2021</b>

\*The Parties recognize that either party may seek to obtain discovery from the Department of Education or other federal agencies; as the Parties cannot dictate deadlines for response to federal agencies, the Parties will confer to agree upon reasonable extensions of discovery deadlines to accommodate any delays on the part of federal agencies. If information not reasonably available to a Party prior to November 23, 2020 causes a Party believe it is necessary to seek discovery from a federal agency after that date, the Parties will confer, and, if unable to reach an agreement as to the necessity, nature, or timing of any further discovery from the agency, will seek the guidance of the Court.

Dated: May 19, 2020

Respectfully submitted,

/s/ Carolyn M. Fast  
 Carolyn M. Fast  
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 Laura J. Levine  
 Sarah E. Trombley  
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/s/ Thomas F. Burke (by consent)  
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